



when comparing the state with surrounding states or the nation. The map suggests that, in the middle of a region riddled with insufficient broadband coverage, nearly 100% coverage abruptly begins at Mississippi's borders. However, the opposite is true; there are many areas in Mississippi that lack broadband coverage as evidenced by Mississippi's Broadband Map ("MBM").<sup>2</sup> It would be an injustice to the state's consumers, who need and depend upon broadband service, to misrepresent coverage in a data system utilized by the FCC when making funding determinations for providers. Such a flaw may cause Mississippi consumers to be overlooked because of a misconception of the existing broadband service in the state.

In investigating the reason for the disparity between the NBM and MBM, it was discovered that the December 31, 2011, data submitted to National Telecommunications and Information Administration ("NTIA") included information reported to Broadmap LLC ("Broadmap"), Mississippi's mapping vendor, from a cable provider who stated that its coverage area literally encompassed the whole state. The subsequent filing of the June 30, 2012, data to NTIA removed the provider's inaccurate report of its coverage. Discussions of the map's discrepancy among the Mississippi Governor's Office, Mississippi Public Utilities Staff, Mississippi Department of Information Technology Services, Broadmap, FCC staff, and NTIA staff resulted in confirmation that the data used in the December 2011 submission to the NTIA included the inaccurate provider's claim, and that it was corrected in the subsequent filing. The MPSC therefore requests that the FCC and NTIA update the NBM to reflect the most current data set available for their representation of Mississippi's coverage area.

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<sup>2</sup> See <https://msbb.broadmap.com/StateMap/>.

In addition, the MPSC offers comments addressing the inclusion of certain data in the NBM, and whether that inclusion assists or impedes the purpose served by the NBM. Currently, NBM data submissions for coverage areas include resellers and business-only providers, but the MPSC feels that such providers should be excluded if the purpose of the NBM is to be effectively served. Resellers do not have facilities as they are reselling another provider's services and should not be included in the broadband footprint. Mapping resellers in coverage areas indicates duplicative coverage. Including the mapping of business-only providers distorts the coverage for residential areas needing broadband improvements. We therefore respectfully request that the FCC consider removing resellers and business-only providers from its definition of served fixed broadband areas.

The MPSC wants to ensure that the many Mississippians who lack adequate broadband coverage do not miss an opportunity for providers to receive funds to provide these enhanced services. The intent of the FCC Order 11-161 was to reform and modernize the universal service to ensure that robust, affordable voice and broadband service, both fixed and mobile, are available to Americans throughout the nation.<sup>3</sup> It is imperative that the FCC use the most current and accurate data available for their determination of areas with need.

The MPSC welcomes this opportunity to submit comments to the FCC regarding the fixed-broadband unserved areas. It is the MPSC's desire to convey that it challenges the map in its current form as it relates to Mississippi, and to ask that the most recent and accurate data submitted to NTIA be used as the fixed broadband footprint of Mississippi. The MPSC also asks that the FCC remove resellers and business-only providers from its

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<sup>3</sup> FCC 11-161; Report and Order and Further Notices of Proposed Rulemaking, adopted October 27, 2011, and released November 18, 2011, ¶ 5.

definition of served fixed broadband areas, for the overall accuracy of the data as it relates to its intended purpose.

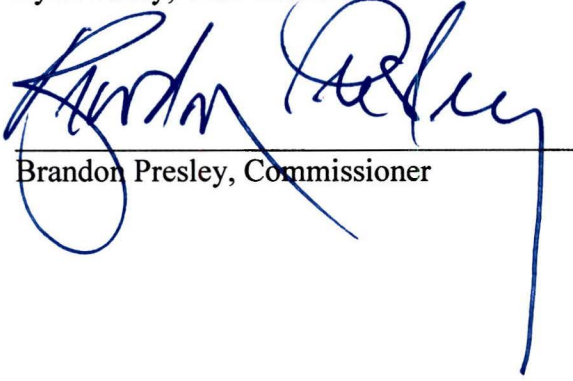
Respectfully Submitted,

MISSISSIPPI PUBLIC SERVICE COMMISSION



  
Leonard Bentz, Chairman

  
Lynn Posey, Vice Chairman

  
Brandon Presley, Commissioner

Dated: January 8, 2013